

<p>UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK</p> <p>-----X</p> <p>In re:</p> <p>TRADE AND COMMERCE BANK (IN LIQUIDATION)</p> <p>Debtor,</p> <p>-----X</p> <p>RICHARD FOGERTY, as Joint Official Liquidator of Trade and Commerce Bank</p> <p>Plaintiff,</p> <p>-against-</p> <p>Kesten Development Corp.</p> <p>Defendant.</p> <p>-----X</p>	<p>Chapter 15 Case No. 05-60279 (SMB)</p> <p>Adv. Pro. No. 10-03611 (SMB)</p>

ORDER ON ENTRY OF DEFAULT JUDGMENT

After considering Plaintiff Richard Fogerty's Request for Entry of Default Judgment against Defendant Kesten Development Corp., proof of service, affidavits, and other evidence on file, the Court

FINDS that the record supports entry of default judgment. Therefore, the Court ORDERS entry of default judgment against the defendant Kesten Development Corp. in the amount of \$15,936,369.

SIGNED on October 26, 2010.

/s / Stuart M. Bernstein
UNITED STATES BANKRUPTCY JUDGE